



## Legislation Text

File #: ID 24-3667, Version: 1

Agenda Item: 9	Prepared By: Josh G. Ooyman, Planner II
Business: Resolution - Boat Dock Extension	Department: Community Affairs - Growth Management

Subject:

RESOLUTION - **Continued from the June 7, 2024 Planning Board Meeting** - Boat Dock Extension (BD-24-000054) request to allow for an additional six and a half (6.5') foot encroachment into the waterway for a boat dock facility for the Vantage Condominiums located at 860 Panama Court, Marco Island, FL 34145 - Josh Ooyman, Planner II, Community Affairs/Growth Management

### BACKGROUND:

### PROJECT DESCRIPTION:

The existing docking facility at the subject location needs to be removed to gain access to the seawall - to install a new seawall in front of the existing seawall along the entire shoreline. The existing 4,333 square foot docking facility was approved by Marco Island City Council in 2001 and protrudes 30 feet into the waterway. The proposed docking facility will feature 2,185 square feet over water and protrude 31.50 feet into the waterway. As indicated in the application request, the additional protrusion beyond the existing is due to the additional 18 inches required for the new seawall installation.

Attached are the application, cover letter, plans, history on the prior approvals, and submerged survey information. Please note, the Florida Department of Environmental Protection has provided their approval for the proposed dock configuration, and has advised that the proposed construction is exempt from any submerged land lease and permitting requirements.

### FUNDING SOURCE / FISCAL IMPACT:

Applicant has paid \$1,500.00 in applicable fees.

**PUBLIC NOTICE REQUIREMENTS:** 15 days prior to the Planning Board hearing.

**NOTICE APPEARANCE DATE(S):** June 24, 2024

### RECOMMENDATION:

### STAFF RECOMMENDATION AND FINDINGS:

Staff recommends the Planning Board forward a recommendation of approval of the requested protrusion to the City Council with the following conditions and finding:

**Findings:**

1. The dock will meet the other requirements and boat facility standards in the Land Development Code.
2. The applicant indicates there is sufficient water depth at the proposed location.
3. There are three sections of the subject waterway, on the north, east and west sides of the property. The western and eastern canals are over 120 feet wide, while the northern waterway is 147 feet wide. These dimensions are much wider than most of the typical canals within Marco Island.
4. The dock and moored vessels do not protrude greater than 25 percent of the width of the navigable waterway, and more than 50 percent of the waterway width is maintained.
5. The proposed docking facility is being reduced by 2,148 square feet and this size is the minimum dimension necessary to adequately secure the moored vessels while providing reasonable access to the vessels for routine maintenance. There are four existing marginal docks that will not be reconstructed.
6. The height, dimensions, and location remain essentially the same with respect to the dock that has been in place since 2001 without impact of the view to the channel.
7. The total water frontage at Vantage Point is approximately 1,019 feet. The length of the vessels proposed to be moored at the proposed location will not exceed 50% of the seawall frontage. The proposed dock will not adversely affect the view to the channel by surrounding property owners.
8. The location of the existing and proposed dock facility does not appear to infringe upon the use of neighboring properties, nor any existing boat docking facilities since the current location of the proposed dock has been in the approximate location since 2001.
9. The applicant indicates no seagrasses are located within the vicinity.

**Condition:**

1. The proposal is subject to the Manatee protection requirements. Should the proposal qualify for an exemption to these requirements, Staff is requesting a letter from Collier County indicating a review is not necessary. The letter shall be submitted as part of the building permit application.
2. Any future construction to the docking facility, including any reconstruction, repair, and or modification of the docking facility, and/or any individual components of the docking facility shall require the consent and approval of the Vantage Point Condominium Association, Inc., its successors and assigns.
3. Any City of Marco Island permit applications for any construction, repair, or modification of the docking facility and/or any individual components of the docking facility shall require that the Vantage Point Condominium Association, Inc., its successors and assigns, execute any permit applications.

**POTENTIAL MOTION:**

Move to approve Resolution 24-XX with the listed findings and conditions.